

Message Text

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45

ACTION EA-09

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 AID-05

ACDA-05 IO-10 SAM-01 OMB-01 SAJ-01 /079 W

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R 090910Z SEP 75

FM AMEMBASSY SEOUL

TO SECSTATE WASHDC 2675

INFO AMEMBASSY TOKYO

CINCPAC

C O N F I D E N T I A L 7031

CINCPAC FOR POLAD

EO 11652: GDS

TAGS: PINT, KS

SUBJECT: KIMYYONG-SAM REJECTS SECOND SUMMONS

REF: SEOUL 6939 (DTG 050838Z SEP 75

1. NDP LEADER KIM YONG-SAM HAS REFUSED TO COMPLY WITH SEOUL PROSECUTOR'S SECOND SUMMONS ISSUED SEPTEMBER 8 CALLING FOR HIM TO ANSWER QUESTIONS ABOUT ALLEGED VIOLATION OF EMERGENCY MEASURE 9. PREVIOUSLY NDP SPOKESMAN HAD ANNOUNCED THAT KIM WOULD NOT RESPOND TO INITIAL SUMMONS, BUT WOULD COMPLY IF NEW SUMMONS WERE ISSUED (REFTEL).

2. FOLLOWING SPECIAL NDP POLITICAL AFFAIRS COUNCIL MEETING SEPTEMBER 9, PARTY SPOKESMAN HA PYONG-CHAE TOLD PRESS THAT KIM AND NDP HAVE NOW DECIDED NOT TO COMPLY WITH PROSECUTOR'S ORDER. PAPERS REPORT THAT HA GAVE NO REASON FOR DECISION. HOWEVER, NDP ASSEMBLYWOMAN KIM OK-SON HAS TOLD US THAT, CONTRARY TO PRESS REPORTS, NDP DID GIVE ITS REASONS TO PRESS. PARTY'S RATIONALE IS THAT YUSHIN CONSTITUTION ITSELF
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CONTAINS PROVISIONS FOR AMENDMENT; THUS EMERGENCY

MEASURE NINE, WHICH PROHIBITS CALLING FOR CONSTITUTIONAL REVISION, IS UNCONSTITUTIONAL, AND THEREFORE ORDERS ISSUED UNDER MEASURE ARE NOT LEGAL.

3. AMPLIFYING EARLIER REMARKS BY NDP SPOKESMAN (REFTEL), ASSEMBLYWOMAN KIM ALSO TOLD US THAT MAJORITY OF NDP NOW FEEL PUBLIC CONCERN REGARDING SECURITY SITUATION IS ON DECLINE AND THIS PROVIDES OPPORTUNITY FOR OPPOSITION TO CHALLENGE GOVERNMENT ON CONSTITUTIONAL ISSUES. SHE SAID THAT NDP HOPES TO MAKE MOST OF SITUATION IF GOVERNMENT FORCES KIM TO REPORT TO PROSECUTOR'S OFFICE. HOWEVER, SHE ALLOWED THAT GOVERNMENT MAY TAKE MORE MODERN

APPROACH AND SEND PROSECUTORS TO INTERVIEW KIM AT HIS HOME OR OFFICE.
SNEIDER

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Message Attributes

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